

Assembly Bill No. 554

CHAPTER 510

An act to amend Section 12 of the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

[Approved by Governor October 4, 2005. Filed with
Secretary of State October 4, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 554, Nava. Ventura County Watershed Protection District.

Existing law, the Ventura County Watershed Protection Act, authorizes the Ventura County Watershed Protection District to levy an assessment upon all taxable real property in the district to pay the costs and expenses of the district and to carry out any of the objects or purposes of the act. The act also authorizes the district to levy an assessment upon all taxable real property in any of the zones according to the benefits derived, or to be derived, in the respective zones, to pay the costs and expenses of carrying out any of the objects or purposes of the act in the respective zones. The California Constitution, with certain exceptions, conditions the imposition or increase of a property-related fee or charge by a special district upon compliance with requirements for providing written notice to property owners, conducting a public hearing, providing an opportunity for majority protest, and obtaining the approval by a majority vote of the property owners of the property subject to the fee or charge, or at the option of the special district imposing the fee or charge, by a $\frac{2}{3}$ vote of the electorate residing in the area affected by the fee or charge.

This bill would authorize the district to impose a fee pursuant to those described requirements of the California Constitution on a districtwide or per zone basis for those same purposes.

The people of the State of California do enact as follows:

SECTION 1. Section 12 of the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session) is amended to read:

Sec. 12. The board of supervisors of the district shall have power, in any year to do any of the following:

1. To levy an ad valorem tax upon all taxable property or an assessment upon all taxable real property in the district, or a fee imposed pursuant to Article XIIIID of the California Constitution, to pay the costs and expenses of the Ventura County Watershed Protection District and to carry out any

of the objects or purposes of this act of common benefit to the district as a whole.

2. To levy an ad valorem tax upon all taxable property or an assessment upon all taxable real property, or a fee imposed pursuant to Article XIII D of the California Constitution, in each or any of the zones, according to the benefits derived or to be derived by the respective zones, to pay the cost and expenses of carrying out any of the objects or purposes of this act of special benefit to the respective zones, including the constructing, maintaining, operating, extending, repairing, or otherwise improving any or all works or improvements within the respective zones. It is declared that all property within a given zone is equally benefited under this act.

The taxes, assessments, or fees imposed pursuant to Article XIII D of the California Constitution, shall be levied and collected together with, and not separately from, taxes for county purposes, and the revenues derived from the taxes, assessments, or fees shall be paid into the county treasury to the credit of the district, and the board of supervisors shall have the power to control and order the expenditure thereof for those purposes except that no revenues, or portions thereof, derived in any of the several zones from the taxes, assessments, or fees levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing, or otherwise improving any works or improvements located in any other zone except as provided in Section 14. The aggregate taxes, assessments, or fees levied under this act for any one fiscal year shall not exceed thirty-two cents (\$0.32) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in zone 1, shall not exceed forty cents (\$0.40) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in zones 2 and 4, shall not exceed twenty-seven cents (\$0.27) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in any special zone in addition to the aggregate taxes or assessments levied for zone 1, 2, 3, or 4 and exclusive of any tax, assessment, or fee levied to pay the cost and expenses of any project or facility for importing water into the district or to meet any bonded indebtedness of the zones or district and the interest thereon.